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September 9, 2020

**VIA ECF AND FACSIMILE**

Honorable Laura Taylor Swain  
U.S. District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

Re: Adler v. Solar Power, Inc., et al.  
Case No. 16-CV-01635 (LLS)(GWG)

Dear Judge Swain:

My office represents the corporate defendants (collectively, “SPI”) in connection with the above matter. I, together with Plaintiff’s counsel, submit this joint status letter and respectfully request that the Show Cause Hearing scheduled to continue on September 11, 2020, be adjourned to October 15, 2020, or any date thereafter that is convenient for the Court.

At the time the parties submitted their last joint status letter to the Court – on July 22, 2020 – the Mauka FIT One LLC solar project in Hawaii (the “Project”) was anticipated to reach its Commercial Operations Date (“COD”) milestone on July 31, 2020. However, the Project has experienced several delays since then due to no fault of the parties. On August 31, 2020, Valta Energy (“Valta”) requested an extension from Hawaiian Electric Company, Inc. (“HECO” or “the Utility”), until October 15, 2020, to reach the COD milestone. However, SPI anticipates, based on information received from Valta, that next week Valta will be submitting another request to HECO for an even longer extension beyond October 15, 2020.

Based on the foregoing, Plaintiff and SPI respectfully request that the continuation of the Show Cause Hearing be adjourned from September 11 to October 15, 2020, or any date thereafter that is convenient for the Court. The parties thank the Court for its time and attention to this application.

The Show Cause hearing control date is adjourned to October 30, 2020, at 2:00 p.m. The parties must file a joint status letter by October 23, 2020. DE# 207 resolved.

SO ORDERED.

/s/ Laura Taylor Swain, USDJ 9/9/2020

Respectfully submitted,

Kuuku Minnah-Donkoh  
Kuuku Minnah-Donkoh

Honorable Laura Taylor Swain

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cc: Roger Marion, Esq. (*via* ECF)